



OK
5/21/3

PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 266.00)

Complete if Known

Application Number	09/596,930
Filing Date	June 16, 2000
First Named Inventor	Martin et al
Examiner Name	Rademacher, Mark A.
Group Art Unit	3761
Attorney Docket No.	3869/006

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-1730
Deposit Account Name _____

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

	Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355				Utility filing fee	
106	320	206	160				Design filing fee	
107	490	207	245				Plant filing fee	
108	710	208	355				Reissue filing fee	
114	150	214	75				Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES

Total Claims 24 - 20** = 4 x 18.00 = 72.00
Independent Claims 4 - 3** = 1 x 84.00 = 84.00
Multiple Dependent _____ = _____

	Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9				Claims in excess of 20
102	80	202	40				Independent claims in excess of 3
104	270	204	135				Multiple dependent claim, if not paid
109	80	209	40				** Reissue independent claims over original patent
110	18	210	9				** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 156.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

	Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65				Surcharge - late filing fee or oath	
127	50	227	25				Surcharge - late provisional filing fee or cover sheet	
139	130	139	130				Non-English specification	
147	2,520	147	2,520				For filing a request for ex parte reexamination	
112	920*	112	920*				Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*				Requesting publication of SIR after Examiner action	
115	110	215	55				Extension for reply within first month	110.00
116	390	216	195				Extension for reply within second month	
117	890	217	445				Extension for reply within third month	
118	1,390	218	695				Extension for reply within fourth month	
128	1,890	228	945				Extension for reply within fifth month	
119	310	219	155				Notice of Appeal	
120	310	220	155				Filing a brief in support of an appeal	
121	270	221	135				Request for oral hearing	
138	1,510	138	1,510				Petition to institute a public use proceeding	
140	110	240	55				Petition to revive - unavoidable	
141	1,240	241	620				Petition to revive - unintentional	
142	1,240	242	620				Utility issue fee (or reissue)	
143	440	243	220				Design issue fee	
144	600	244	300				Plant issue fee	
122	130	122	130				Petitions to the Commissioner	
123	130	123	130				Petitions related to provisional applications	
126	180	126	180				Submission of Information Disclosure Stmt	
581	40	581	40				Recording each patent assignment per property (times number of properties)	
146	710	246	355				Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355				For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355				Request for Continued Examination (RCE)	
169	900	169	900				Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110.00)

SUBMITTED BY

Name (Print/Type)	Raymond B. Churchill, Jr.	Registration No. (Attorney/Agent)	44,617	Telephone	212-684-3900
Signature		Date	May 12, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED

MAY 19 2003
TECHNICAL ROOM

05/14/2003 RHARTIS 00000001 09596730

110.00 OP 01 FC:1251



5-13-3

3761

3869-006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Martin et al.

SERIAL NO. : 09/596,730

FILING DATE : June 16, 2000

GROUP ART UNIT : 3761

EXAMINER : Rademacher, Mark A.

TITLE : APPARATUS WITH AUTOMATIC RESPIRATION
MONITORING AND DISPLAY

RECEIVED
MAY 19 2003
TC 3100 MAIL ROOM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22312-1450

TRANSMITTAL OF AMENDMENT AND RESPONSE TO OFFICE ACTION

SIR:

The Applicant hereby transmits the following documents in response to the Office Action dated January 17, 2003.

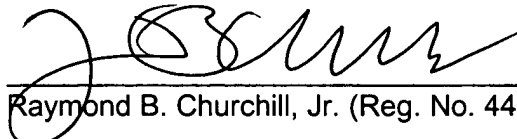
- (1) Amendment and Response to Office Action (13 pages);
- (2) Corrected Drawings (6 pages);
- (3) A check in the amount of \$266.00 made payable to the Commissioner for a 1 month extension of time and new claims fees;
- (4) Fee transmittal form in duplicate; and
- (5) An itemized postcard for return.

The Commissioner is authorized to charge any additional fees that may be required, or to credit any overpayment, to our Deposit Account No. 07-1730.

I hereby certify that the foregoing documents are being deposited with the United States Postal Service, Express Mail, Post Office to Addressee in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below. (Express Mail Label: EV 225384443 US).

GOTTLIEB, RACKMAN & REISMAN, P.C.
Attorneys for Applicant
270 Madison Avenue
New York, NY 10016-0601
Telephone: (212) 684-3900

Dated: May 12, 2003


Raymond B. Churchill, Jr. (Reg. No. 44,617)



#8/A
OK
3869/006
3/2/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Martin et al.
SERIAL NO. : 09/596,730
FILING DATE : June 16, 2000
GROUP ART UNIT : 3761
EXAMINER : Rademacher, Mark A.
TITLE : APPARATUS WITH AUTOMATIC RESPIRATION
MONITORING AND DISPLAY

RECEIVED
MAY 19 2003
TC 3700 MAIL ROOM

**AMENDMENT AND RESPONSE TO
OFFICE ACTION**

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This Amendment and Response to Office Action is filed in response to the Office Action dated January 17, 2003. Applicant requests that the Examiner reconsider the application as amended herein.

In the Specification:

Amendments to the specification are contained in a Specification Amendments section beginning at page 2 of this amendment.

In the claims:

Amend claims 1, 4-10, 13, 14, 23 and 26 and add new claims 31-34 as shown in the Claim Amendments section beginning at page 4 of this amendment.

In the drawings:

Applicant submits the attached corrected drawings. The corrections are described in a Drawing Amendments section beginning at page 10 of this amendment.

Remarks:

A Remarks section appears on page 11 of this amendment.

Drawing
Changes
Approved
By Examiner
4/26/04
a.j.